



## **APPROVED MINUTES**

### **SUNNYVALE PLANNING COMMISSION**

The Planning Commission met in regular session in the Council Chambers, City of Sunnyvale, 456 W. Olive Avenue, Sunnyvale, CA on **July 11, 2005 with a special start time of 7:30 p.m.** with outgoing Chair Moylan presiding at the beginning of the meeting and new Chair Hungerford presiding over the remainder of the meeting.

#### **ROLL CALL**

Members Present: Chair Chris Moylan; Vice Chair Chuck Hungerford; Commissioner Laura Babcock; Commissioner James Fussell; Commissioner Larry Klein; Commissioner David Simons; and Commissioner Brandon Sulser

Members Absent: none

Staff Present: Gerri Caruso, Principal Planner; Andrew Miner, Principal Planner; Joan Borger, Senior Assistant City Attorney; Jamie McLeod, Associate Planner; and Deborah Gorman, Recording Secretary

#### **SCHEDULED PRESENTATION**

None

#### **PUBLIC ANNOUNCEMENTS**

None

#### **CITIZENS TO BE HEARD**

None

#### **APPROVAL OF MINUTES of June 27, 2005**

<b>ACTION: Comm. Fussell made a motion to approve the minutes of June 27, 2005 with modifications. Comm. Sulser seconded. Motion carried unanimously, 7-0.</b>
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## **PUBLIC HEARINGS/GENERAL BUSINESS**

### **1. Selection of Chair and Vice Chair**

**Chair Moylan** said that at the first meeting in July each year the Commission selects a new Chair and Vice Chair and explained the process.

**Chair Moylan** opened the floor for nominations for Chair.

**Comm. Fussell** nominated **Comm. Hungerford** for Chair for the 2005-2006 year. **Comm. Hungerford** accepted the nomination. There were no further nominations.

**ACTION: Comm. Simons made a motion to close the nomination. Comm. Klein seconded. Motion carried unanimously, 7-0.**

**ACTION: Chair Moylan said all in favor of selecting Vice Chair Hungerford for Chair please vote. Vote was unanimous, 7-0.**

**Chair Hungerford** exchanged seats with outgoing Chair Moylan and immediately took over the duties as Chair. He thanked his fellow commissioners for selecting him and thanked outgoing Chair Moylan for doing a terrific job this past year.

**Chair Hungerford** opened the floor for nominations for Vice Chair.

**Comm. Sulser** nominated **Comm. Fussell** for Vice Chair for the 2005-2006 year. **Comm. Fussell** accepted the nomination. There were no further nominations.

**ACTION: Comm. Moylan made a motion to close the nomination. Comm. Klein seconded. Motion carried unanimously, 7-0.**

**ACTION: Chair Hungerford said all in favor of selecting Comm. Fussell for Vice Chair please vote. Vote was unanimous, 7-0.**

### **ROLL CALL**

Members Present: Chair Chuck Hungerford; Vice Chair James Fussell; Commissioner Laura Babcock; Commissioner Larry Klein; Commissioner Chris Moylan; Commissioner David Simons; and Commissioner Brandon Sulser

## 2. Selection of Seats

This item was taken out of order and was heard as the last item on the agenda.

The seating arrangement for Planning Commission for the 2005-2006 year, from left to right, looking at the dais from the audience, will be as follows:

Comm. Sulser, Comm. Simons, Vice Chair Fussell, Chair Hungerford, Comm. Babcock, Comm. Moylan, and Comm. Klein.

The new seating arrangement will begin at the July 25, 2005 Planning Commission meeting.

3. **2005-0353** - Application for a Design Review on a 5,482 square-foot site to allow a new two-story home and an attached accessory living unit resulting in 66% Floor Area Ratio where 45% may be allowed without Planning Commission review. The property is located at **694 Conway Road** in an R0 (Low Density Residential) Zoning District. (APN: 202-06-015) GC

**ACTION:** Comm. Klein made a motion on Item 2005-0353 for Alternative 1., to approve the Design Review with conditions as recommended by staff, and for staff to review the parking situation on Conway and paint the street curbs red if appropriate. Comm. Babcock seconded. Motion carried, 4-3, Chair Hungerford, Vice Chair Fussell and Comm. Simons dissenting.

**APPEAL OPTIONS:** This item is appealable to the City Council no later than July 26, 2005.

4. **2005-0509 - Chung Tai Zen Center Of Sunnyvale** [Applicant] **Chung Tai Intl Chan Buddhist Assn** [Owner]: Application for a Use Permit on a 1.5-acre site to allow the relocation of a community cultural place of assembly from 1031 N Fair Oaks Ave to the following site address. The property is located at **750 East Arques Avenue** (near N Wolfe Rd) in an M-S (Industrial & Service) Zoning District. (Negative Declaration) (APN: 205-32-007) JM **(Continue to July 25, 2005)**

**ACTION:** Comm. Moylan made a motion on Item 2005-0509 to continue the item to at least the August 8, 2005 meeting. Comm. Klein seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This item will be renoticed if it is continued beyond August 8, 2005.

5. **2004-0734 – Starkweather Bondy Architecture, LLP [Applicant] South Peninsula Hebrew Day School [Owner]:** Application for a Use Permit on a 4.3-acre site to accommodate an expanded library and computer lab, an addition to the existing administrative building, and to construct a new sanctuary. The property is located at **1030 Astoria Drive** (near S Bernardo Ave) in a P-F (Public Facility) Zoning District. (APN: 320-09-064 (Mitigated Negative Declaration) JM **(moved from April 25, 2005)**

**ACTION:** Comm. Simons made a motion on Item 2004-0734 for Alternative 2., to adopt the Mitigated Negative Declaration and approve the Use Permit with modified Conditions of Approval (COA): COA 6.A. to be modified to read, “Maintain the existing ingress/egress right-of-way along the western property line to enable City vehicles and other emergency vehicles access to the park”; COA 10.J. to be modified to read, “For every tree that is removed, a large species replacement tree shall be planted on the site based on the approved landscape plan”; addition of COA 1.Q. that the applicant pay for striping or centerline traffic management on Astoria if deemed appropriate by Public Works; addition of COA 3.C. to cap the allowable uses to those uses, hours and number of attendees listed in the amended staff report in the table on pages 9 and 10; and addition of COA 3.D. to limit uses outside of school hours to a maximum of 200 people and limit the use time to no later than 10 p.m. Comm. Babcock seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This item is appealable to City Council no later than July 26, 2005.

Chair Hungerford called a 5 minute recess.

6. **2005-0464:** Appeal of a decision by the Director of Community Development denying a Tree Removal Permit for a Canary Island Palm Tree in the front yard. The property is located at **810 Devonshire Way** (near Kingfisher Wy) in an R-0 (Low-Density Residential) Zoning District. (APN: 309-28-047) SD

**ACTION:** Comm. Babcock made a motion on Item 2005-0464 for Alternative 1., to deny the appeal and uphold the denial of the Tree Removal Permit. Comm. Fussell seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This decision is final and is not appealable.

7. **2005-0106 – The Ridgecrest Group [Applicant] Omid Shakeri [Owner]:** Application for related proposals on a 29,250 square-foot site located at **574 Bobolink Circle** in a R-0/S (Low-Density Residential/Single Story) Zoning District. (Negative Declaration) (APN: 309-02-034) AM

- **Rezone** from R-0/S (Low-Density Residential/Single Story) to R-0/PD/S (Low-Density Residential/Planned Development/Single Story)
- **Special Development Permit** to construct 4 single-family homes, and
- **Parcel Map** to subdivide one lot into four lots.

This item was heard out of order as the third public hearing item.

**ACTION:** Comm. Moylan made a motion on Item 2005-0106 to continue the item to at least the August 22, 2005 meeting. Comm. Fussell seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This item will be renoticed if it is continued beyond August 22, 2005.

**8. 2005-0497 – MV Development** [Applicant] **AIP Steward Inc** [Owner]: Application for related proposals on 2.6-acre site located at **848 Stewart Drive** (near De Guigne Dr) in an MS (Industrial & Service) Zoning District. (Negative Declaration) (APN: 205-26-003) GC;

- **Use Permit** to allow the subdivision of an existing Industrial building into 9 condominium units,
- **Tentative Map** to subdivide 1 lot into 9 condominium lots and one common lot

**ACTION:** Comm. Moylan made a motion on Item 2005-0497 for Alternative 1. to adopt the Negative Declaration and approve the Use Permit and Tentative Map with attached conditions including staff's clarification to COAs to include the requirement for 11, Class 1 spaces and two, Class 2 bike storage spaces with the option to make those indoors. Comm. Simons seconded. Motion carried 6-1, Comm. Simons dissenting.

**APPEAL OPTIONS:** Item is appealable to the City Council no later than July 26, 2005.

#### **NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS
- STAFF ORAL COMMENTS

#### **City Council Meeting Report**

**Gerri Caruso**, Principal Planner, said there have been no City Council meetings since the last Planning Commission meeting. She said there is a Planning related item to be heard at the July 12, 2005 City Council meeting regarding the proposed Walgreens site located at 782-820 East El Camino Real. This item was heard by Planning Commission and recommendations made to City Council at June 17, 2005 Planning Commission meeting.

#### **Other Staff Oral Report**

#### **INFORMATION ONLY ITEMS**

#### **ADJOURNMENT**

With no further business, the Commission meeting was adjourned at 12:35 p.m.

Respectfully submitted,

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Gerri Caruso  
Principal Planner